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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,450	11/20/2003	Keisuke Fukushima	2003_1617A	6643
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WENDEROTH, LIND & PONACK, L.L.P.				
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SUITE 800				
WASHINGTON, DC 20006-1021				
			EXAMINER	
			BOSWELL, CHRISTOPHER J	
			ART UNIT	PAPER NUMBER
			3676	

DATE MAILED: 05/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/716,450

Applicant(s)

FUKUSHIMA, KEISUKE

Examiner

Christopher Boswell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Notice of PTO-1446 or PTO/SR/08)

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 6-26 rejected under 35 U.S.C. 102(a) as being anticipated by U.S. Patent Number 6,862,907 to Hayashi et al.

Hayashi et al. discloses an electrically operated steering lock device comprising a lock bolt (12) which is movable between a protrusion position where a steering shaft (21) is locked and a retreat position where the steering shaft is unlocked, and a cam member (41) which rotated by an electric motor (43) to actuate the lock bolt, as well as a rotation blocking means (31) which is electrically driven and which, when the lock bolt is placed at the retreat position, engages with a first engagement portion (42) formed the cam member block rotation of the cam member even if the electric motor is activated due to a malfunction; and holding means (42) for holding the rotation blocking means state that rotation of the cam member is blocked when the lock bolt is at the retreat position, as in claim 6, where the cam member also has a second engagement portion (42), and the holding portion comprises the second engagement portion (figure 4), such that the holding portion is for holding the rotation blocking mechanism in the state in which rotation of the cam member is blocked when the lock bolt is at the retreat position by having the second engagement portion engage with the rotation blocking mechanism and block the rotation

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blocking mechanism from moving in a direction that would release engagement between the rotation blocking mechanism and the first engagement portion (figure 6), as in claim 26.

Hayashi et al. also discloses that the first engagement portion is in the cam member (figure 4 and 6), as in claims 7 and 17, and where the cam member acts to move the lock bolt to the protrusion position when the electric motor is rotated forward (F2), and to move the lock bolt to the retreat position when the electric motor is rotated reverse (column 4, lines 14-19), as in claims 8, 18, and 22, as well as the cam member, the lock bolt and the rotation blocking mechanism are constructed and arranged that when engagement between the rotation blocking mechanism and the second engagement portion is released by reverse rotation of the electric motor, the lock bolt is protrudable by forward rotation of the electric motor (F2), as in claims 9, 19, and 23, wherein a cam portion (46) of the cam member is formed in such a manner that the lock bolt is not actuated at a time of release operation that the engagement with the second engagement portion is released by reverse rotation of the electric motor (column 4, lines 14-19), as in claims 10, 20, and 24, further comprising lock bolt holding means (14) for holding the lock bolt at the retreat position while the lock bolt is placed at the retreat position, as in claims 11, 14, 21, and 25, and the rotation blocking mechanism comprises a solenoid (31) and an engagement member coupled to the solenoid (32), as in claims 12 and 15.

Hayashi et al. further discloses the first engagement portion having an end wall (42a) of a recess (42) in the cam member, and the second engagement portion having a projection (42a), where the rotation blocking member is engaged with the first engagement portion (column 4, lines 8-19), when the lock bolt is at the retreat position, by having the engagement member engaging the end wall, and the second engagement portion is to engage with the rotation

blocking mechanism (column 4, lines 8-19), and block the rotation blocking mechanism from moving in a direction that would release engagement between the rotation blocking mechanism and the first engagement portion by having the projection engage the engagement member, as in claims 13 and 16.

Response to Arguments

Applicant's arguments with respect to claims 6-26 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to further show the state of the art with respect to electronically actuated steering column locks:

U.S. Patent Number 6,298,938 to Klaiber et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Boswell whose telephone number is (571) 272-7054. The examiner can normally be reached on 8:30 - 5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571) 272-7087. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



CJB



April 29, 2005

DANIEL P. STODOLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600